

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

DONNIE LARD

PLAINTIFF

V.

NO. 4:16-CV-191-DMB-DAS

**PATRICKIA WHITCOLM and
SULLIVAN**

DEFENDANTS

ORDER ADOPTING REPORT AND RECOMMENDATION

On December 16, 2016, following a *Spears* hearing, United States Magistrate Judge David A. Sanders issued a Report and Recommendation recommending that Donnie Lard's complaint be dismissed with prejudice as frivolous. Doc. #12. The Report and Recommendation warned:

Objections must be in writing and must be filed within fourteen (14) days of this date, and "a party's failure to file written objections to the findings, conclusions, and recommendation in a magistrate judge's report and recommendation within [14] days after being served with a copy shall bar that party, except on grounds of plain error, from attacking on appeal the unobjected-to proposed factual findings and legal conclusions accepted by the district court" *Douglass v. United Services Automobile Ass'n*, 79 F.3d 1415, 1428-29 (5th Cir. 1996) (en banc)(citations omitted); see also *United States v. Carrillo-Morales*, 27 F.3d 1054, 1061-62 (5th Cir. 1994), cert. denied, 513 U.S. 1178 (1995).

Id. at 4.

To date, no objections to the Report and Recommendation have been filed. Accordingly, this Court's review of the Report and Recommendation is limited to plain error. *Morales v. Mosley*, No. 3:13-cv-848, 2014 WL 5410326, at *2 (S.D. Miss. Oct. 22, 2014) (citing *Shelby v. City of El Paso*, 577 F. App'x 327, 331 (5th Cir. 2014) ("When there has been no objection to a report and recommendation, review is limited to plain error."))

The Court has reviewed the Report and Recommendation and found no plain error. It is therefore **ORDERED**:

1. The Report and Recommendation [12] is **ADOPTED** as the order of the Court;
2. Lard's claims against the defendants are **DISMISSED WITH PREJUDICE** as frivolous; and
3. This case is **CLOSED**.

SO ORDERED, this 24th day of January, 2017.

/s/ Debra M. Brown
UNITED STATES DISTRICT JUDGE